

19MISC 283

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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

JUDGE COTE

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>6/11/2019</u>

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 IN RE: ONE ROLEX SUBMARINER WATCH

Part I

STIPULATION AND ORDER

19 Misc.

U.S. DISTRICT COURT
FILED
JUN 12 2019
CLERK
S.D.N.Y.

WHEREAS, the United States Attorney's Office for the Southern District of New York ("USAO") has determined the following facts:

(1) On or about June 24, 2016, Robert Astorino, then serving as the Westchester County Executive, provided one Rolex Submariner watch (the "Subject Property") to special agents from the Federal Bureau of Investigation ("FBI") in response to a subpoena served upon him earlier that day, along with a receipt and invoice (the "Paperwork").

(2) According to the Paperwork, Astorino purchased the Subject Property for \$1,800 from a specific jewelry store ("Store-1") on or about October 16, 2013, and the store's records stated that the watch was "used."

(3) An individual named Jona Rechnitz was debriefed extensively by the FBI

beginning in or around March 2015, and testified at three criminal proceedings in the cases of *United States v. Norman Seabrook and Murray Huberfeld*, 16 Cr. 467 (AKH) and *United States v. Jeremy Reichberg, Michael Harrington, and James Grant*, 16 Cr. 468 (GHW) as a cooperating witness for the Government. Rechnitz told the FBI the following in sum and substance, and testified under oath accordingly:

- a. Rechnitz and two other persons, including an individual named Jeremy Reichberg, met Astorino in 2013 and discussed donating money to his upcoming re-election campaign. During that conversation, Rechnitz and Reichberg expressed interest in being appointed Westchester County Chaplains, a credential they wanted to use to obtain a parking placard that would allow them to park in locations at will. Neither Rechnitz nor Reichberg lived in Westchester County, nor did they have business interests in Westchester. Rechnitz was not a member of the clergy, nor, to his knowledge, was Reichberg.
- b. Rechnitz and Reichberg were subsequently named Westchester County Chaplains. At around the same time, Rechnitz made substantial cash donations to Astorino's re-election campaign.
- c. Several months later, Astorino asked Rechnitz, who had connections in Manhattan's Diamond District, for help in purchasing a new luxury watch. Rechnitz arranged for a representative of Store-1 to meet him and Astorino at Rechnitz's office. The Store-1 employee sold the watch to Rechnitz and Astorino, with Astorino paying a modest sum and Rechnitz paying the remainder of the cost.

(4) Publicly available campaign finance data shows that Rechnitz's company wrote a \$10,000 check to Astorino's re-election campaign on or about June 13, 2013, and another \$5,000 check to Astorino's re-election campaign on or about June 24, 2013.

(5) A review of documents from the Westchester County Executive's Office shows that Rechnitz filled out a personnel form to become a Westchester County Police Chaplain

on or about June 10, 2013, and that on or about June 25, 2013, the Sheriff of Westchester County appointed Rechnitz and Reichberg Westchester County Police Chaplains, effective June 10, 2013.

(6) Based on information provided by the Westchester County Executive's Office, the position of police chaplain is not permanent, and must be periodically renewed.

(7) Bank records indicate that Rechnitz wrote Store-1 a check for \$5,790.00 on or about October 17, 2013, with the subject line, "ROLEX." As noted above, the day before, Astorino had obtained the Subject Property at Store-1 and paid \$1,800.

WHEREAS, the Federal Bureau of Investigation currently has possession of the Subject Property;

WHEREAS, the USAO takes the position that the Subject Property is forfeitable pursuant to Title 18, Section 981 and Title 28, Section 2461 of the United States Code;

WHEREAS, Robert Astorino disputes certain of the above facts as determined by the USAO, and denies that he engaged in any unlawful conduct, but wishes to resolve this matter without further litigation by relinquishing any claim to the Subject Property;

WHEREAS, Robert Astorino consents to the seizure and forfeiture of the Subject Property by the United States;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned parties, as follows:

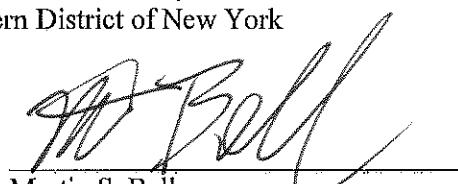
1. Robert Astorino consents to the permanent seizure of the Subject Property by the USAO so that it may be conveyed to the United States.

2. Robert Astorino warrants that he is the sole possessor of the Subject

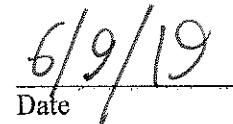
6. This Court shall retain jurisdiction to amend this order as necessary and/or resolve disputes related to this order.

Agreed and consented to:
GEOFFREY S. BERMAN
United States Attorney for the
Southern District of New York

By:



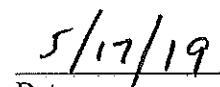
Martin S. Bell
Assistant United States Attorney
One St. Andrew's Plaza
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Tel. (212) 637-2463


6/9/19

Date

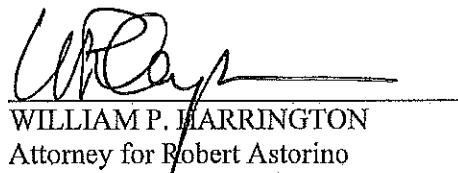
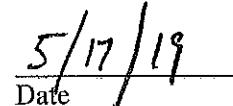
ROBERT ASTORINO

By:


ROBERT ASTORINO
5/17/19

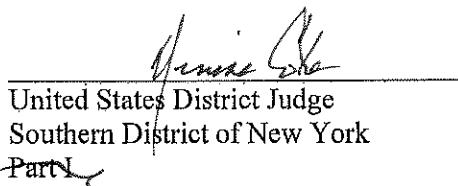
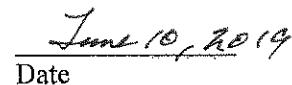
Date

By:


WILLIAM P. HARRINGTON
Attorney for Robert Astorino
5/17/19

Date

So Ordered:


United States District Judge
Southern District of New York
Part
June 10, 2019

Date